UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :

v. : CRIMINAL NO. 3:19-09

BRUCE EVANS, SR., and : (JUDGE MANNION)

BRUCE EVANS, JR.,

:

Defendants

VERDICT FORM

COURT EXHIBIT #1

WE, THE JURY, MAKE THE FOLLOWING UNANIMOUS FINDINGS
BEYOND A REASONABLE DOUBT:

COUNT 1:

FAILURE TO OPERATE AND MAINTAIN IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. §1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a permit condition of the Greenfield Township Sewer Authority ("GTSA") NPDES Permit No. PA 0061671, that is, Part C, Special Condition Six, by failing to properly supervise, operate and maintain the GTSA wastewater treatment facility by intentionally pumping the contents of the chlorine contact tank, including solids and sewage sludge, onto the ground and into the grass, on or about April 24, 2013, as charged in Count 1 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

Guilty	Not Guilty
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FAILURE TO OPERATE AND MAINTAIN IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a permit condition of the Greenfield Township Sewer Authority ("GTSA") NPDES Permit No. PA 0061671, that is, Part A, Section I.C.1., by failing to supervise, operate and maintain the GTSA wastewater treatment facility by allowing waste materials, that is, paper and/or plastic, partially treated sewage and sewage solids, to accumulate, resulting in the growth of Sphaerotilus natans below the outfall of the wastewater treatment facility, in an unnamed tributary of Dundaff Creek, and aiding and abetting, on or about October 17, 2017, as charged in Count 2 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS. SR..

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Guilty	Not Guilty
The jury unanimously finds beyond	a reasonable doubt the defendant
BRUCE EVANS, JR.,	

Not Guilty _____

Guilty ____

FAILURE TO OPERATE AND MAINTAIN IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a permit condition of the Greenfield Township Sewer Authority ("GTSA") NPDES Permit No. PA 0061671, that is, Part B, Section I.D.2., by failing to supervise, operate and maintain the GTSA wastewater treatment facility by allowing waste materials, that is, paper and/or plastic, partially treated sewage and sewage solids, to accumulate, resulting in the growth of Sphaerotilus natans below the outfall of the wastewater treatment facility, in an unnamed tributary, and aiding and abetting, on or about October 17, 2017, as charged in Count 3 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

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Guilty	Not Guilty
The jury unanimously finds beyon	nd a reasonable doubt the defendant
BRUCE EVANS, JR.,	
Guilty	Not Guilty

Count 4

DISCHARGE IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a permit condition of the GTSA Permit No. PA 0061671, that is, Part A, Section I, by discharging pollutants, that is, CBOD 5 and Total Suspended Solids, in excess of the permit's numerical limits for those pollutants, into an unnamed tributary of Dundaff Creek, and aiding and abetting, on or about December 12, 2017, as charged in Count 4 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

(as to pollutant, CBOD 5)

Guilty	Not Guilty	_
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The jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, JR.,

(as to pollutant, CBOD 5)

COUNT 4 (verdict continued)

DISCHARGE IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

The jury unanimously finds beyond a reasonable doubt	the	defendant,
BRUCE EVANS, SR.		

BRUCE EVAN	IS, SR.	
	(as to pollutant, Tota	l Suspended Solids)
	Guilty	Not Guilty
The jury unani	imously finds beyond a	reasonable doubt the defendant,
BRUCE EVAN	IS, JR.,	
	(as to pollutant, Tota	l Suspended Solids)
	Guilty	Not Guilty

DISCHARGE IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a permit condition of the GTSA Permit No. PA 0061671, that is Part A, Section I, by discharging fecal coliform in excess of the numerical limit for fecal coliform into an unnamed tributary of Dundaff Creek, and aiding and abetting, on or about December 12, 2017, as charged in Count 5 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

Guilty	Not Guilty	

The jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, JR.,

Guilty_	Not Guilty	

FALSE STATEMENTS IN VIOLATION OF 33 U.S.C. § 1319(C)(4)

On the charge of knowingly causing false material statements, representations and certifications made in applications, records, reports, plans and other documents filed and required to be maintained under the Clean Water Act and the regulations promulgated thereunder, on or about June 29, 2017, as charged in Count 6 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, JR.,

FAILURE TO NOTIFY PADEP IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a permit condition of the GTSA NPDES Permit No. PA 0064106, that is, Part B, Section I.C.3 by failing to notify the Pennsylvania Department of Environmental Protection as soon as he was aware that the GTSA had submitted incorrect information in a NPDES permit application dated May 28, 2013 concerning the amount of "gray water" hauled to the GTSA wastewater plant for treatment and failed to provide the correct information in subsequent years, on or about June 8, 2015, as charged in Count 7 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

Guilty	X	Not Guilty
Guilty		Not Guilty

BYPASSING TREATMENT SYSTEM IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. 0064106, that is, Part B., Section I.F.2., by bypassing the GTSA wastewater treatment facility in prohibited ways on June 1, 2015, as charged in Count 8 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

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GuiltyX	1	Not Guilty	

BYPASSING TREATMENT SYSTEM IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. 0064106, that is, Part B., Section I.F.2., by bypassing the GTSA wastewater treatment facility in prohibited ways on June 2, 2015, as charged in Count 9 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

Guilty	Not Guilty
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BYPASSING TREATMENT SYSTEM IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. 0064106, that is, Part B., Section I.F.2., by bypassing the GTSA wastewater treatment facility in prohibited ways on June 3, 2015, as charged in Count 10 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

BYPASSING TREATMENT SYSTEM IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. 0064106, that is, Part B., Section I.F.2., by bypassing the GTSA wastewater treatment facility in prohibited ways on June 5, 2015, as charged in Count 11 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

BYPASSING TREATMENT SYSTEM IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. 0064106, that is, Part B., Section I.F.2., by bypassing the GTSA wastewater treatment facility in prohibited ways on June 8, 2015, as charged in Count 12 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

BYPASSING TREATMENT SYSTEM IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. 0064106, that is, Part B., Section I.F.2., by bypassing the GTSA wastewater treatment facility in prohibited ways on March 16, 2016, as charged in Count 13 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

Guilty

Not Guilty

BYPASSING TREATMENT SYSTEM IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. 0064106, that is, Part B., Section I.F.2., by bypassing the GTSA wastewater treatment facility in prohibited ways on November 28, 2016, as charged in Count 14 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

Guilty	Not Guilty
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BYPASSING TREATMENT SYSTEM IN VIOLATION OF CLEAN WATER ACT PERMIT 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. 0064106, that is, Part B., Section I.F.2., by bypassing the GTSA wastewater treatment facility in prohibited ways on July 26, 2017, as charged in Count 15 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

FAILURE TO NOTIFY PADEP OF BYPASS IN VIOLATION OF 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. PA 0064106, that is, Part A, Section III.C.3, by failing to notify the Pennsylvania Department of Environmental Protection of a bypass on or about June 1, 2015, as charged in Count 16 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

FAILURE TO NOTIFY PADEP OF BYPASS IN VIOLATION OF 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. PA 0064106, that is, Part A, Section III.C.3, by failing to notify the Pennsylvania Department of Environmental Protection of a bypass on or about June 2, 2015, as charged in Count 17 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

FAILURE TO NOTIFY PADEP OF BYPASS IN VIOLATION OF 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. PA 0064106, that is, Part A, Section III.C.3, by failing to notify the Pennsylvania Department of Environmental Protection of a bypass on or about June 3, 2015, as charged in Count 18 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

FAILURE TO NOTIFY PADEP OF BYPASS IN VIOLATION OF 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. PA 0064106, that is, Part A, Section III.C.3, by failing to notify the Pennsylvania Department of Environmental Protection of a bypass on or about June 5, 2015, as charged in Count 19 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

FAILURE TO NOTIFY PADEP OF BYPASS IN VIOLATION OF 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. PA 0064106, Part A, Section III.C.3, by failing to notify the Pennsylvania Department of Environmental Protection of a bypass on or about June 8, 2015, as charged in Count 20 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

FAILURE TO NOTIFY PADEP OF BYPASS IN VIOLATION OF 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. PA 0064106, that is, Part A, Section III.C.3, by failing to notify the Pennsylvania Department of Environmental Protection of a bypass on or about March 16, 2016, as charged in Count 21 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

FAILURE TO NOTIFY PADEP OF BYPASS IN VIOLATION OF 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. PA 0064106, that is, Part A, Section III.C.3, by failing to notify the Pennsylvania Department of Environmental Protection of a bypass on or about July 26, 2017, as charged in Count 22 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

FAILURE TO NOTIFY PADEP OF SANITARY SEWAGE OVERFLOW IN VIOLATION OF 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. PA 0064106, that is, Part A, Section III.C.3, by failing to notify the Pennsylvania Department of Environmental Protection of a sanitary sewer overflow on or about November 28, 2016, as charged in Count 23 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

FAILURE TO NOTIFY PADEP OF SANITARY SEWAGE OVERFLOW IN VIOLATION OF 33 U.S.C. § 1319(C)(2)(A)

On the charge of knowingly violating and causing a violation of a condition of the GTSA NPDES Permit No. PA 0064106, that is, Part A, Section III.C.3, by failing to notify the Pennsylvania Department of Environmental Protection of a sanitary sewer overflow on or about July 26, 2017, as charged in Count 24 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

WIRE FRAUD IN VIOLATION OF 18 U.S.C. § 1343

On the charge of knowingly devising and intending to devise a material scheme to defraud the GTSA and to obtain money and property of the GTSA by means of materially false and fraudulent pretenses, representations and promises, for the purpose of executing a scheme and artifice to defraud, and attempting to do so, did knowingly cause to be transmitted via wire communications in interstate commerce the payment of a check on or about April 20, 2017, check # 8965, issued in the amount of \$88.85 and payable to AT&T, as charged in Count 25 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

Guilty	Not Guilty

WIRE FRAUD IN VIOLATION OF 18 U.S.C. § 1343

On the charge of knowingly devising and intending to devise a material scheme to defraud the GTSA and to obtain money and property of the GTSA by means of materially false and fraudulent pretenses, representations and promises, for the purpose of executing a scheme and artifice to defraud, and attempting to do so, did knowingly cause to be transmitted via wire communications in interstate commerce the payment of a check on or about June 15, 2017, check # 8996, issued in the amount of \$90.85 and payable to AT&T, as charged in Count 26 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

Guilty	Not Guilty_	X	_
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WIRE FRAUD IN VIOLATION OF 18 U.S.C. § 1343

On the charge of knowingly devising and intending to devise a material scheme to defraud the GTSA and to obtain money and property of the GTSA by means of materially false and fraudulent pretenses, representations and promises, for the purpose of executing a scheme and artifice to defraud, and attempting to do so, did knowingly cause to be transmitted via wire communications in interstate commerce the payment of a check on or about April 12, 2017, check # 8963 issued in the amount of \$310.40 and payable to Lapera Oil Co., as charged in Count 27 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

Guilty	Not Guilty	
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WIRE FRAUD IN VIOLATION OF 18 U.S.C. § 1343

On the charge of knowingly devising and intending to devise a material scheme to defraud the GTSA and to obtain money and property of the GTSA by means of materially false and fraudulent pretenses, representations and promises, for the purpose of executing a scheme and artifice to defraud, and attempting to do so, did knowingly cause to be transmitted via wire communications in interstate commerce the payment of a check on or about May 16, 2017, check # 8981 issued in the amount of \$356.25 and payable to Lapera Oil Co., as charged in Count 28 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

WIRE FRAUD IN VIOLATION OF 18 U.S.C. § 1343

On the charge of knowingly devising and intending to devise a material scheme to defraud the GTSA and to obtain money and property of the GTSA by means of materially false and fraudulent pretenses, representations and promises, for the purpose of executing a scheme and artifice to defraud, and attempting to do so, did knowingly cause to be transmitted via wire communications in interstate commerce the payment of a check on or about February 11, 2017, check # 8920 issued in the amount of \$328.00 and payable to American Express ending 9-02004, as charged in Count 29 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

WIRE FRAUD IN VIOLATION OF 18 U.S.C. § 1343

On the charge of knowingly devising and intending to devise a material scheme to defraud the GTSA and to obtain money and property of the GTSA by means of materially false and fraudulent pretenses, representations and promises, for the purpose of executing a scheme and artifice to defraud, and attempting to do so, did knowingly cause to be transmitted via wire communications in interstate commerce the payment of a check on or about May 16, 2017, check # 8976 issued in the amount of \$247.01 and payable to American Express ending 9-02004, as charged in Count 30 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

WIRE FRAUD IN VIOLATION OF 18 U.S.C. § 1343

On the charge of knowingly devising and intending to devise a material scheme to defraud the GTSA and to obtain money and property of the GTSA by means of materially false and fraudulent pretenses, representations and promises, for the purpose of executing a scheme and artifice to defraud, and attempting to do so, did knowingly cause to be transmitted via wire communications in interstate: commerce the payment of a check on or about November 18, 2015, check # 8673 issued in the amount of \$639.72 and payable to George R. Everett, as charged in Count 31 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, IBRUCE EVANS, SR.,

WIRE FRAUD IN VIOLATION OF 18 U.S.C. § 1343

On the charge of knowingly devising and intending to devise a material scheme to defraud the GTSA and to obtain money and property of the GTSA by means of materially false and fraudulent pretenses, representations and promises, for the purpose of executing a scheme and artifice to defraud, and attempting to do so, did knowingly cause to be transmitted via wire communications in interstate commerce the payment of a check on or about January 14, 2016, check # 8696 issued in the amount of \$354.01 and payable to George R. Everett, as charged in Count 32 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

OBSTRUCTION OF CORRESPONDENCE IN VIOLATION OF 18 U.S.C. § 1702

On the charge of knowingly secreting and obstructing delivery of a letter individually addressed to the Chair of the GTSA Board, individually sent certified mail to 111 Lakeview Avenue, Carbondale, Pennsylvania, which had been in a Post Office and an authorized depository for mail matter and in the custody of a mail carrier before it had been delivered to the Chair of the GTSA Board and confirmed receipt by the defendant on or about December 10, 2015, as charged in Count 33 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

OBSTRUCTION OF CORRESPONDENCE IN VIOLATION OF 18 U.S.C. § 1702

On the charge of knowingly secreting and obstructing delivery of a letter individually addressed to the Vice-Chair of the GTSA Board, individually sent certified mail to 111 Lakeview Avenue, Carbondale, Pennsylvania, which had been in a Post Office and an authorized depository for mail matter and in the custody of a mail carrier before it had been delivered to the Vice-Chair of the GTSA Board and confirmed receipt by the defendant on or about December 10, 2015, as charged in Count 34 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

OBSTRUCTION OF CORRESPONDENCE IN VIOLATION OF 18 U.S.C. § 1702

On the charge of knowingly secreting and obstructing delivery of a letter individually addressed to the Treasurer of the GTSA Board, individually sent certified mail to 111 Lakeview Avenue, Carbondale, Pennsylvania, which had been in a Post Office and an authorized depository for mail matter and in the custody of a mail carrier before it had been delivered to the Treasurer of the GTSA Board and confirmed receipt by the defendant on or about December 10, 2015, as charged in Count 35 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

Guilty	Not Guilty
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OBSTRUCTION OF CORRESPONDENCE IN VIOLATION OF 18 U.S.C. § 1702

On the charge of knowingly secreting and obstructing delivery of a letter individually addressed to the Secretary of the GTSA Board, individually sent certified mail to 111 Lakeview Avenue, Carbondale, Pennsylvania, which had been in a Post Office and an authorized depository for mail matter and in the custody of a mail carrier before it had been delivered to the Secretary of the GTSA Board and confirmed receipt by the defendant on or about December 10, 2015, as charged in Count 36 of the Superseding Indictment, the jury unanimously finds beyond a reasonable doubt the defendant, BRUCE EVANS, SR.,

The foregoing is the unanimous verdict of the jury in the abovecaptioned case of UNITED STATES OF AMERICA v. BRUCE EVANS, SR., and BRUCE EVANS, JR.

Date: 12/17/2021

JURY FOREPERSON

Please have the foreperson sign and date this verdict form, place it in the envelope provided, and inform the courtroom security officer that you have a verdict.